

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

NICOLE WOOTEN,

Plaintiff,

v.

LIMETREE BAY TERMINALS d/b/a  
OCEAN POINT TERMINALS, PORT  
HAMILTON REFINING AND  
TRANSPORTATION, and WEST INDIES  
PETROLEUM, LTD.,

Defendants.

Case No. 1:23-CV-00012

**ACTION FOR DAMAGES**

JURY TRIAL DEMANDED

**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Plaintiff Nicole Wooten, by and through undersigned counsel, Pursuant to Fed. R. Civ. P. 6 moves this Court for a two (2) week extension of time up to and including May 8, 2023, to file her Opposition to Ocean Point Terminals Motion to Dismiss.

Pursuant to Fed. R. Civ. P. 6,

When an act may or must be done within a specified time, the court may, for good cause, extend the time:

- (a) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or
- (b) on motion made after the time has expired if the party failed to act because of excusable neglect

See Fed. R. Civ. P. 6

Plaintiff's Response is due April 26, 2023, therefore this extension is being requested before the expiration of the date to respond and may be granted for good cause. This Court has held that "[g]ood cause is understood to mean [a] legally sufficient reason and it reflects the burden placed on a litigant [] to show why a request should be granted or

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an action excused.” *Clarke v. Marriott Int’l, Inc.*, No. CIVILACTION2008086, 2012 WL 2285188, at \*2 (D.V.I. June 18, 2012) (internal quotations omitted). Furthermore, “[t]he good cause inquiry focuses on the moving party’s duty to show due diligence.” *Id.*(citing *Race Tires Am., Inc. v. Hoosier Racing Tire Corp.*, 614 F.3d 57, 84 (3d Cir. 2010) (internal quotations omitted).

Plaintiff requires additional time to prepare her response and there is a good cause. Plaintiff requires additional time to response as her counsel has committed to volunteering her time as a coach for a Moot Court team on St. Croix which competed on Tuesday, April 28, 2023, and won and therefore moved forward to the final round which was held on Thursday, April 20, 2023. Due to the time that was committed to the moot court teams, counsel requires a short extension of time to file the Opposition in this matter.

Pursuant to LRCi7.1(f), Plaintiff conferred with Defendants who have indicated that they have no objection to this request.

**WHEREFORE**, based on the foregoing, Plaintiff respectfully requests that this Court GRANT the two (2) week extension until May 8, 2023, to file her Opposition to Ocean Point Terminals Motion to Dismiss.

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RESPECTFULLY SUBMITTED  
LEE J. ROHN AND ASSOCIATES, LLC  
Attorneys for Plaintiff

DATED: April 20, 2023

BY: /s/ Jennifer S. Koockogey-Lajoie

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**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that on April 20, 2023, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

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BY: /s/ Jennifer S. Koockogey-Lajoie (mb)